

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

PAUL CASTONGUAY,

Petitioner,

vs.

BRAD HANSEN, Warden of Tecumseh
State Correctional Inst.;

Respondent.

8:18CV413

**MEMORANDUM
AND ORDER**

Petitioner filed a “Motion for Relief From Judgment Pursuant to Rule 60(b)(4)(6)(d)(1)(2)” ([filing no. 1](#)), which has been docketed as a petition for writ of habeas corpus, and a Motion for Leave to Proceed in Forma Pauperis ([filing no. 2](#)). Habeas corpus cases attacking the legality of a person’s confinement require the payment of a \$5.00 filing fee. 28 U.S.C. § 1914(a). However, after considering Petitioner’s financial status as shown in the records of this court (*see* inmate trust account statement at [filing no. 3](#)), leave to proceed in forma pauperis will be granted and Petitioner is relieved from paying the filing fee. *See* 28 U.S.C. § 1915(a)(1).

IT IS THEREFORE ORDERED that: Petitioner’s Motion for Leave to Proceed in Forma Pauperis ([filing no. 2](#)) is granted. The next step in this case is for the court to conduct a preliminary review of the habeas corpus petition in accordance with Rule 4 of the Rules Governing Section 2254 cases. The court will conduct this review in its normal course of business.

Dated this 10th day of September, 2018.

BY THE COURT:

s/ Richard G. Kopf
Senior United States District Judge